

afterward reorganized and I was left outside."

At the conclusion of his testimony Mr. Lunn gave out the following statement:

"My antagonism to the Socialist Party and its un-American tactics does not blind me to the fact that the proceedings initiated by Speaker Sweet were not only arbitrary but violative of the fundamental principles of constitutional government."

"I believe in true Americanism and not in that hysterical Americanism which would rouse men to vengeance even where the crime was not violence of action but variance of opinion."

"This is a time when we must think clearly and consistently. Faith in our institutions must not be threatened by allowing even legislators to do violence to the principles of our institutions. It is far more important that we be true to ourselves and the principles for which this great Nation stands than that we permit vengeance against a minority simply because they aggravate and irritate by their critical attitude."

"We must deal resolutely with any who are genuine enemies of this democracy and who, peradventure, seek its violent overthrow. But in our eagerness to accomplish this result we should be equally determined that the processes for the free expression of opinion, however critical, should not be destroyed."

"Safeguarding the rights of minorities is absolutely essential in order to preserve intact the rights of the majority. The tyranny of the many over the few is no less baneful than the tyranny of a group over a mass of men. Many of the indictments brought against our industrial order by the Socialists are true, but their method for improvement is hopelessly muddled."

"It seems to me, therefore, that agitation against grievances is best met by removing the cause of the grievances. Regarding this procedure, I am heartily in accord with the commendable attitude taken by Mr. Hughes and the New York City Bar Association as well as the attitude of the New York State Bar Association."

#### "LEFT WING" SOCIALISTS FOUGHT WALDMAN.

Seymour Stedman, of counsel for the defense, opened today's session with a motion to strike out of the record a letter introduced in evidence yesterday purporting to be from the Socialist organization of the Eighth Assembly District, Manhattan, and signed by the secretary, extending greetings to Ludwig C. A. K. Martens, the Soviet "Ambassador."

Mr. Stedman declared that the letter was written by the secretary of an outlaw band of Socialists who called themselves the left wing and had been expelled from the regular organization because of their communistic tendencies.

"The organization that sent this letter," said Mr. Stedman, "set up and supported a candidate in opposition to Assemblyman Waldman, the nominee of the regular Socialist Party of the district."

Chairman Martin held, after argument, that the claims of Mr. Stedman could properly be presented in the course of the defense.

Signs of waning public interest in the trial were manifested today. Half the seats in the assembly chamber were vacant and standing room was plentiful, but the array of counsel at the table of the prosecution was augmented by Martin Conboy of New York City.

Miss Anna Stern, the blonde and ample recording secretary of the Bronx Socialist local, testified that the organization circulated in the Bronx 50,000 copies of the manifesto of the Socialist Party just prior to the last election. She said there were 1,500 dues-paying members in the Bronx local last July, but she did not know how many Socialist votes were cast in the election.

Julius Gerber, Executive Secretary of the New York Socialist organization, testified that 50,000 copies of the manifesto were circulated in Manhattan and 50,000 in Brooklyn.

#### SOCIALISTS CUT SMALL FIGURE IN TOTAL VOTE.

Mr. Gerber testified that in the 8th Manhattan Assembly District there are between 150 and 200 dues-paying members of the Socialist Party. The vote for Waldman last November was more than five thousand.

There are between 200 and 300 dues-paying members of the Socialist Party in the 17th Assembly District. Class action, the Assemblyman, received more than 5,000 votes in the last election. Instances of inadequate preparation of the case have frequently been observed during the trial. The catch-as-catch-can methods of the prosecution were particularly apparent today when the 1919 Socialist convention in Chicago became a subject of discussion between counsel. Mr. Stedman had no record of the proceedings of that convention. The defense agreed to furnish them.

The defense voluntarily produced matter which the prosecution could not have obtained otherwise. Mr. Stedman succeeded in bringing out that there were three Socialist conventions in Chicago at the same time last summer, two of them, the regular Socialist and the Communist Labor, in the same building. The regular Socialist convention was held under police protection.

At the opening of the afternoon session Judge Sutherland read from the record excerpts from the testimony given by Martens before the Lusk Committee in New York. Mr. Stedman objected strenuously to the reading of Martens's testimony

before the Lusk Committee on the ground that it had no relevancy to the matter at issue. This led to a long argument with Mr. Stedman, Judge Sutherland and Mr. Stedman taking part.

The prosecution's claim was, in brief, that anything was relevant which tends, in any way, to support the charge that the Socialist Party is engaged in an effort to overthrow the Government. It has already been shown, Mr. Stedman claimed, that Martens is in sympathy with the purposes of the Socialist Party, and, in fact, co-operating with the Socialists, whether the Socialists know it or not.

The opinion prevails among politicians and other observers that the prosecution has about shot its bolt in the matter of the proceedings against the suspended Assemblymen. In political circles, notably Republican, the opinion prevails that if the prosecution is unable to produce more evidence directly connecting each of the accused Assemblymen with seditious activities, or directly connecting the Socialist Party of the United States with the Communist Party of Russia, it will have failed to make good the accusations hurled at the Socialists by Speaker Sweet on Jan. 7.

#### AT LEAST THREE GUILTY. PROSECUTION'S VIEW.

On the face of the evidence sufficient has been put on record to warrant the expulsion of at least three, if not all, of the suspended Assemblymen. When I say on the face of the evidence, I refer to the complexity of the evidence when viewed from the prosecution's side.

But a number of Assemblymen, I should say off-hand possibly thirty, are at present dissatisfied with the strength of the evidence, holding that it has not measured up to the charges made by Speaker Sweet. These are in favor of dropping the charges unless stronger evidence is presented and resuming the suspended men without requiring them to put in a defense. The dissatisfaction is growing, but action awaits the end of the prosecution on the ground that Speaker Sweet should be given every opportunity to make out the case he promised to establish three weeks ago to day.

#### SWIFT HAS PLAN TO SAVE DAYLIGHT

Wants 60,000 Workers in Chicago Packing Plants to Go to Work an Hour Earlier.

CHICAGO, Jan. 28.—Sixty thousand Chicago workers will save daylight this year without performing an operation on the clock. It was learned today. The packing industries will advance the opening time one hour, also closing one hour early during the spring and summer months, if the plan advocated by Louis Swift is adopted.

"Neither legislation nor clock setting is necessary," Swift said. "I believe a majority of the workers of the city like to get away from their labors while there is time to have some outdoor recreation during the summer months."

#### ERZBERGER WORSE; DOCTORS TO CONFER

X-Ray Shows Bullet Imbedded in Shoulder Blade—Patient Very Weak.

BERLIN, Jan. 28.—The condition of Matthias Erzberger, Vice Premier and Minister of Finance, who was shot Monday by Ottavio von Hirschfeld, a former cadet officer, was somewhat worse this morning. Herr Erzberger was without fever, but his pulse was 120 and he continued very weak. An X-ray examination of the wound made yesterday showed the bullet firmly lodged in the shoulder blade. Another examination of his case will be held tomorrow evening by his physicians, Dr. Fiesch and Prof. Hildebrand.

#### U. S. SHIP AFIRE AT SEA.

Blaze in Hold No. 2 of Cotton-Laden West Imboden.

LONDON, Jan. 28.—The American steamer West Imboden has reported by wireless that a fire was discovered in her cargo yesterday. Smoke appearing on deck, the message added, would indicate the fire was in No. 2 hold. The ship's position was not given.

#### TO FORM POLICE REGIMENT.

Will Comprise a Machine Gun Company and 1,000 Expert Shots.

Acting Police Captain Charles Schofield, in charge of the Police Training School, announced today the proposed formation of a regiment of 1,000 expert marksmen. One unit will be a machine gun company. The men will be trained in the 13th Regiment Armory in Brooklyn. "Capt. Schofield believes he could have about 400 of the reserves concentrated within half an hour, as the thousand are distributed among the three platoons. Eighteen of the best revolver shots in the department will take part in a competition at the Croquet Club, Brooklyn, to-night."

#### NOT A REVOLUTIONIST.

Barda Wants Sugar, Not to Overthrow Government.

Joseph Burda, a soda water manufacturer of No. 47 West 76th Street, who was arrested a week ago by two department of justice agents who alleged they had him in custody in a grocery store, was brought to court yesterday for trial on charges of conspiracy to overthrow the government. Burda was held in the Tombs. He was released on \$5,000 bail. He is not in favor of a revolution. The Government officers misunderstood him.

## COAL OPERATORS' PROFITS FROM 15 TO 1,000 PER CENT.

Statistician of Miners' Union So Declares Before President's Commission.

WASHINGTON, Jan. 28.—Miners' representatives completed their presentation of wage and coal mining cost statistics to the President's Commission to settle the Coal Strike today. At the request of the operators, President Robinson adjourned the hearings until Monday, when the operators will present data. Mr. Robinson also gave notice that beginning Feb. 4 the Commission would hear representatives of the coal fields outside the central territory.

Van H. Bittner, statistician for the miners' union, confirmed his analysis of cost of living statistics fixing the advance in them since 1913 at 85 per cent. As to the ability of the mine owners to pay advances he cited their profits. His figures showed that the Pittsburgh Coal Company made a net profit of approximately \$3,000,000 for the two-year period of 1914-1915, while for the two-year period including 1917-1918, the net profit was more than \$21,000,000. The profit of \$14,076,952 in 1917, he said, represented 20.6 per cent on the capital stock and \$490 on each employee.

Bittner pointed to the Lehigh Valley Coal Co. as another corporation whose net profits increased enormously from 1914 to 1918. In 1914, he said, they were \$511,468, and in 1918, \$3,888,183. In the two-year period, 1914-1915, he said, the Consolidation Coal Co. had net profits amounting to approximately \$4,500,000; in 1917-1918, the net profits were approximately \$18,500,000.

Bittner cited statistics which he said were obtained from the Treasury Department and financial reports showing that 236 mining companies in 1917 made 15 per cent on their capital stock; 31 made 20 per cent; 25 made 25 per cent; 270 made 30 per cent; 232 made 40 per cent or more; 197 50 per cent or more; 150 100 per cent or more, and eight companies made over 1,000 per cent.

Regardless of all increases, he said, mine labor was receiving today fewer cents out of every dollar paid to operators for coal than they got in 1913 and 1914.

## JUGO-SLAVS REJECT FIUME SETTLEMENT

Tell Allies They Intend to Stick to Lines Proposed by Wilson.

PARIS, Jan. 28.—The Jugo-Slav reply to the Allied ultimatum regarding the Adriatic question, received in Paris this afternoon, amounts to a refusal of the compromise offered by the Italians. The note opens the way for further discussion of the question. Jugo-Slavs point out that they are ready to accept a solution of the problem along the line of President Wilson's 1915 proposals.

The plan rejected by the Jugo-Slavs was said to have provided for the erection of Fiume into a free city under the auspices of the League of Nations, for the cession to Italy of a narrow strip of land along the coast connecting Trieste with Fiume, for the exercise of the right of free disposition of themselves upon the citizens of the island of Zara, and contiguous territory, and for the cession of Albania to Jugo-Slavs.

## 2,000 MORE REDS CAPTURED BY LETTS

Russians Lose Last Town They Held in Eastern Latvia and Much War Material.

COPENHAGEN, Jan. 28.—Jewish troops have captured Oxyn, the last town in Eastern Latvia occupied by Russian Bolsheviks, and have reached the Lithuanian-Russian frontier at many places, according to a Lithuanian official report. Much material of war and 2,000 prisoners have been captured, and fighting continues along the whole front. The Bolshevik forces on the Lithuanian front are retreating eastward, and many detachments have been annihilated in recent fighting. A peace treaty between Estonia and the Russian Soviet Government is to be signed tomorrow. The treaty provides that Estonia shall receive 16,000,000 rubles in gold, concessions for the construction of a railway from Riga to Moscow, materials for building the line and 200 locomotives.

## AUSTRALIA MUST PREPARE FOR WAR, PREMIER WARNS

"We Are Hugged About With Nations Which Lust After This Country," He Says.

LONDON, Jan. 28.—A. HUGHES, Australian Premier, speaking at Melbourne yesterday, said the next war would probably break out in the Pacific, according to a Central News despatch from Sydney. "We must be ready with a sufficiently numerous army to say 'thus far and no further,' he is quoted as saying. "We are huddled about with nations which lust after this country."

## TO KILL FLU GERMS, BRUSH THE THROAT WITH THIS SOLUTION

One Part Tincture of Iodine to Ten Parts Grain Alcohol, Approved by Copeland.

HEALTH COMMISSIONER COPELAND thought so well of a suggestion received by mail to-day from Dr. Louis A. Dreyfus of Edgewater Street, Staten Island, that he gave the latter to The Evening World for publication. Dr. Dreyfus wrote:

"May I suggest as a means of assisting in the prevention of the spread of influenza the use by the public of a solution of one part tincture of iodine to ten parts of grain alcohol, to be applied to the throat by means of a soft camel's hair brush or cotton swab two or three times daily; say morning, noon and night."

"This, as you know, is a very powerful germ destroyer both by actual contact and by the effect of the vapors. At the same time the solution is not strong enough to act as an irritant, although powerful enough to destroy almost any germs."

"This is a very simple mixture and can be obtained by the public in general at any drug store. An ounce of this will last a person several months and I am quite sure would to a considerable extent prevent the spread of influenza."

## 5,589 NEW CASES OF FLU, BUT DEATHS DROP 85 PER CENT

(Continued From First Page.)

and that not more than 25 per cent. were of the type of 1918.

"Secondary pneumonia cases are very infrequent. While the number of cases looks alarming, and it is bad as far as the industrial situation is concerned, we are to be congratulated that the disease is in such mild form. The number of deaths on Jan. 28, 1917, when there was no epidemic was sixty-nine, which is 116 less than those to-day."

"We have a widespread epidemic of colds and mild cases of influenza and are going ahead with our plans so that no chances will be taken in the epidemic becoming more serious. We are getting more and more responses to our appeals for nurses. This is the result of newspaper publicity. We still need nurses and will gladly pay them on the city payroll at \$4 a day and let them make their own terms with their patients."

"We need household workers, women to make themselves useful in the homes, whom we will pay \$5.50 a day. We advise everybody to wear rubbers and not get their feet wet. For the streets are crowded and full of water. The Street Department is doing its best but lacks men. Hundreds of inspectors are going through the subway, cleaning out the toilets and arresting offenders and making the subway. The public should take warning, for we will be severe on doctors and smokers, whiskey and opium dealers."

"There is plenty of whiskey and opium to get from us a list of druggists who have it for sale."

The courts are beginning to feel seriously the effects of the epidemic. In all the courts of the County of General Sessions jurors were reporting illness. Judge McIntyre said a number of lawyers were reporting sick and having their cases postponed.

"If this continues," he said, "there probably will be a meeting of the Judges Monday to take some action. He did not suggest closing the courts, but intimated that some of them might adjourn for two or three days at a time while the others kept open."

General Manager Hedley of the Interborough told Dr. Copeland that the new schedule of working hours had produced a great deal of trouble about overcrowding in places where previously crowds were unknown. He was readjusting I. R. T. schedules to-day, he said, to meet these new conditions. Last night, Mr. Hedley said, most of the congestion came before 5 o'clock.

"I am informed by the Interborough," Dr. Copeland said, "that it has in use to-day every piece of rolling stock it owns. This, it appears to me, is conclusive evidence that they are doing the best they can."

Traffic Manager Hedley said that B. R. T. reported that the zoning system had relieved conditions in Brooklyn. The B. R. T. is sending out its "busy hour" trains half an hour earlier and keeping them out half an hour later than usual.

U. S. to Make Research into Influenza Situation. WASHINGTON, Jan. 28.—Plans for extended research and study of the influenza situation are prepared and waiting upon the final passage of the appropriation of \$500,000 now being considered by Congress. Assistant Surgeon General J. W. Scherer yesterday said to-day: "We shall immediately send squads of investigators into epidemic centers," he said, "to study the disease at close range. Medical schools and research laboratories will be invited to assist."

## SELECTION OF JURY TO TRY NEWBERRY; EIGHT MEN IN BOX

Laughter in Court as No. 13 Is Called Erroneously—First Challenge Fails.

GRAND RAPIDS, Mich., Jan. 28.—Selection of a jury to try the case against United States Senator Truman H. Newberry and 134 defendants accused of gross political frauds in connection with the election of Newberry, began shortly after court opened to-day.

The defense offered no motion regarding the illness of Attorney Marshall of Detroit, and Judge Sessions ordered the jury box filled. It was explained the box would be kept filled in order that prospective jurors might obtain some knowledge of the proceedings, the court room being so small that the townspeople could be accommodated in it.

The attorneys were told the Government would examine juror No. 1, pass him or challenge for cause and if the challenge were overruled, the defense would follow the same process.

The peremptory challenges will not be exercised until twelve men have been passed for cause. The Government will have six and the defense ten.

Laughter broke the decorum of the court room when the first name came from the box.

"Louis A. McIntyre, No. 13," droned the clerk. Judge Sessions joined in the merriment and then noticed that McIntyre's proper number was 55.

McIntyre, a bee-keeper of Boyne City took seat No. 1 in the jury box. He was followed in order by John Barnes, also of Boyne City, Frank Armstrong, Alanson; Charles E. Trim, Bloomingville; Fred Smith, Elk Rapids; Jerry Danworth, White Cloud; Orion U. Houghton, St. Anthon; William A. Young, Fremont; Will R. Purple, Brutus.

McIntyre's answers were satisfactory to the Government and he was passed to the defense. McIntyre said he had known John M. Harris, one of the defendants, for thirty years. He was a pupil under Harris when the latter taught school and a year ago hired him to handle a mortgage foreclosure, he swore, however, that he had an open mind on Harris and all other defendants. George H. Nichols took up the examination for the defense.

The questioning drifted into the sea of "reasonable doubt" and "presumption of innocence." McIntyre said he had an opinion of the case that would require evidence to remove. He was challenged for cause. The challenge was denied.

The questioning then turned to John Barnes, a laborer.

## PROF. HART WARNS OF GREAT NEW WAR

Harvard Educator Urges U. S. to Make Ready for Conflict in Europe Within Decade.

BOSTON, Jan. 28.—Prof. Albert H. Hart of Harvard University urged the United States to make "speedy preparations" for a big war which he predicted would break out in Europe within the next five or ten years in a speech delivered here before the Harvard Club. "It is positively criminal if the United States does not make speedy preparations," he said, "to insure us an army of trained officers and men in the event of war breaking out again."

The linking up of belligerent powers will probably differ greatly from that of the first war, Prof. Hart declared. The combination of Germany, Japan and Russia is far from unlikely, he said, and he expressed doubt as to whether Italy would again side with France and England.

## ICE-BOUND SHIP IS SAFE.

Steamer Nef Enters Chicago River With Missing Seven Who Sought Her.

CHICAGO, Jan. 28.—After being bound for eight days in the ice floes of Lake Michigan the freight steamer Sidney O. Nef entered the Chicago River this morning and docked with all of her crew safe. On board also were the seven men who started across the ice to the stranded steamer Sunday and who had been missing since.

## FIRST CHINESE SPEEDER.

Chu Dong, Laundryman, Fined \$100 for Fast Auto Driving.

Chu Dong, thirty-six years old, chauffeur for a wet wash laundry of No. 135 Fulton Street, Brooklyn, was today found guilty of speeding by Magistrate House in Traffic Court and fined \$100. He paid it. Dong is the first Chinese ever fined in Traffic Court for speeding.

## WOMAN SENDS \$100 TO HYLAN, ASKS HIM TO PRAY FOR HER

She Proves to Be 72 Years Old and Ill—Mayor Sends Money Back With Advice.

MAYOR HYLAN received a letter from Mrs. Ann C. Held of No. 308 East 75th Street recently, offering him \$100 which she said she had made shoveling snow, and asking him to pray for her.

The Mayor sent an investigator from his office who reported that Mrs. Held is seventy-two years old, has been under a doctor's care for four years and is becoming blind. She told the investigator she had thought she was dying, but now expected to live, and would appreciate the return of the \$100.

The Mayor returned the money with thanks and advised Mrs. Held to take good care of herself and follow her doctor's advice.

## MISS PHIPPS' SUIT AGAINST FORMER SUITOR SETTLED

(Continued From First Page.)

through their beauty tell you I love you? Then the world is a happy place for you. I want your love. I want to earn it and be worthy as well as any man can be worthy of a true woman. I most perfectly lived the lives of Balzac's great characters Raphael and Louis Lambert. I lived a riotous life. Love dissipated and died by inches alternately in the most glorious and most wretched manner possible."

Another letter says: "I have seen the whole world. I have learned all languages and lived after every manner. I have loaned a Chinaman money and taken his father's corpse as a pledge. I slept in an Arab's tent on the security of his bare word. I have signed contracts in every capital of Europe. I have left my gold without hesitation in a savage's wigwam. I have begged my bread. I saw the licentious days of the Regency."

"I am now a centurion with a couple of years to spare and a millionaire to boot."

## HAMBY KEEPS CALM AS DEATH NEARS

Wants No Clergyman When He Goes to Chair—Reprieve for Richard Harrison.

Gordon Fawcett Hamby, who killed two men in the East Brooklyn Savings Bank robbery on Dec. 13, 1918, will die tomorrow in the electric chair at Sing Sing prison. To-day he seemed as calm and disinterested as he has been at all times since his capture and conviction. When the prison chaplains visited him this afternoon he received them cordially, but declined to talk on religious subjects, and said he wanted no clergyman when he goes to the chair. He was more interested in choosing his dinner when the warden told him he had been "a gentlemanly prisoner" and could have what he pleased. Hamby will die alone. It had been expected that Richard Harrison, convicted of the murder of George Griffith in the Knickerbocker restaurant, would be executed at the same time, but Harrison today received a reprieve to March 1, and has already denied that he fired a shot in the waters' club robbery which Griffith was killed in. He said he gave him time to make another effort for a new trial.

## FINDS MISSING GIRL.

Detective at Restaurant Where He Sees Missing Girl, Gone 11 Days.

Detective Newman of the Missing Persons Bureau called at noon to-day in his search for the long-gone-old lady who was missing from her home in Maplewood, N. J., since Jan. 17, to have lunch in a restaurant at No. 105 Third Avenue. A woman and a girl were sitting at another table. Newman studied the girls' features a moment and walked over to the table. "When did you leave home, Jan-bella?" he inquired. The startled girl admitted her identity. The woman said she was Mrs. May Brady, who left her home in Summit, N. J., and her daughter, Margaret, on Jan. 17. She denied that she had been in the waters' club robbery which Griffith was killed in. She said she gave him time to make another effort for a new trial.

## BRIDE DRINKS POISON.

Husband Tries in Vain to Save Young Mother's Life.

Kurt Meisner of No. 1115 Parker Street, the Bronx, a commercial artist, prepared breakfast this morning for his wife, Beatrice, nineteen, a bride of a year and a mother since New Year, and went to her bedroom to awaken her. He found her extremely ill and learned that during the night she had drunk some poison Meisner uses in his work. The artist forced her to drink a large quantity of milk in an effort to save her life, but she died a short time later in Fordham Hospital.

Herman Meisner, the young wife's father-in-law, said she had been in poor health since her baby boy was born.

## 'U. S. TROOPS BEST LEAGUE'

Gen. Edwards Says Soldierly Like War Produced in Safeguard. HARTFORD, Conn., Jan. 28.—Speaking to ex-servicemen here last night, Major Gen. Clarence R. Edwards of the 26th Division, voiced an appeal for a citizen soldiery to guard the nation from foreign aggression. "Give the United States a soldiery such as has been brought about by the war and let us have the best League of Nations and will be able to snap its fingers at any foreign challenge that may come," he said.

## GAMBLING WITNESS TELLS JURY HE WAS CLUBBED BY POLICE

Another Swears That He Was Robbed of \$100 by Three Officers.

John Bohan, a watchman living at No. 210 West End Avenue, was a witness before the Extraordinary Grand Jury to answer questions concerning gambling and alleged police persecution. The Grand Jury is investigating Mayor Hyman's charge that \$32,000 was used unlawfully to obtain the release of Arnold Rothstein, a gambler, exonerated of shooting two policemen.

If Bohan stuck to the story he told in the afternoon he said that June 26, 1918, he was grabbed late at night by a police official and two of his men and hustled into the hallway of the house at No. 240 West 70th Street. Here a paper was thrust under his nose and he was told to sign it. This paper, so the watchman said, contained a statement to the effect that he had seen District Attorney Swann and Assistant District Attorney Smith enter a gambling house in the neighborhood three times a month for a period of three months. This not being true, Bohan refused to put his name to the document.

Thereupon, so the watchman said, the police official accused him of giving evidence against the police to Mr. Smith and the then Inspector "Honest Dan" Costigan, and also information which Bohan said was an alleged gambling house run by one Thomas L. Reynolds. This raid was made over the heads of the district police and occurred in April, 1918.

"If you give information to Smith or Costigan we'll kill you," Bohan asserted the police official said to him. Thereafter he was set upon by the official and his men and beaten. Then, for good measure, he was locked up on a charge of disorderly conduct. The court records show that June 22 he was discharged for lack of evidence.

Benjamin Lane, concerning whose identity there was much mystery, said before he entered the jury room that he intended to tell details concerning a raid made on a house in 38th Street, near Riverside Drive. In the midst of a crap game a tip came over the telephone that raiders were on the way and all but he vanished. He walked to the hall, where he waited to see what would happen.

Lane said three police officers and a United States marshal, who shortly appeared, seized him and took him back to the flat where the game had been in progress. "Pushing me inside and shutting the door they took \$520 I had in my pocket," said Lane. "Later on they gave me back \$420, keeping \$100 for themselves."

## UNCLE SAM AFTER POTATO PROFITEERS

Consumers Paying at Rate of \$3.20 a Bushel, While Farmer Gets Only \$1.59.

WASHINGTON, Jan. 28.—Charges of alleged extensive profiteering in potatoes have been brought to the attention of the Government, it was learned today. Consumers in many parts of the country are being forced to pay at the rate of \$3.20 per bushel for potatoes, while the farmer who grows them receives slightly more than \$1.57. Middlemen, wholesalers and retail dealers get the balance.

Retailers say the high price is due to a Nation-wide shortage of potatoes. Stocks of potatoes of the 1919 crop now on farms and in the hands of dealers total 128,181,000 bushels, according to the Agriculture Department. This leaves 1.29 bushels for every person in the United States until the new crop comes in.

## JUDGMENT AGAINST STATE.

Court of Claims Awards \$997,000 to Construction Company.

ALBANY, N. Y., Jan. 28.—Judgment against the State of New York in the sum of \$997,000 with interest from April, 1920, was announced to-day by the court of claims in the claim of the First Construction Co. of Brooklyn.

The case resulted from the State's appropriation of upland and land under water at Gowanus Bay, Brooklyn, for a large canal project.

## Wreck Blocks N. Y. Central Tracks.

LITTLE FALLS, N. Y., Jan. 28.—While a westbound New York Central passenger train was standing at the station in Port Jervis to-day some cars on an eastbound freight train, passing on an adjoining track buckled and two freight cars were hurled against the passenger train, blocking three of the four tracks until late this afternoon. No one was injured.

## PENNY A POUND PROFIT

Our Big Daily Special for Tomorrow, Thursday, Jan. 29. ASSORTED MOLASSES DAINTIES. An excellent collection of toothsome goodies. Prepared from pure cane molasses. Made in the good old fashion way. SPECIAL POUND BOX 34c

## HOLDS UP SALE OF GERMAN LINERS ON BAKER'S PLEA

Secretary Writes Shipping Board Some Are Wanted for Transport Reserve.

WASHINGTON, Jan. 28.—Protest by Secretary Baker against the sale of certain of the former German passenger liners will delay final action by the Shipping Board, which to-day was considering bids submitted for the fleet of approximately thirty vessels.

In a letter to Chairman Payne of the board, Secretary Baker called attention to an agreement reached by the War Department, the Navy Department, the Department of Commerce, and the Shipping Board, that certain of the vessels turned over to the board by the Transport Service should form an army transport reserve, subject to immediate withdrawal in case of emergency calling for use as transports.

"In view of the approved agreement above referred to and the fact that the War Department has expended millions of dollars for repair and outfitting of these vessels," wrote the Secretary, "and has available at this time complete plans for utilizing these vessels in case of an emergency, I request that no action be taken toward the sale of any of the vessels forming a part of the army transport reserve until the matter has been presented to the President."</